

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

PSARA ENERGY, LTD.,
Plaintiff,

versus

SPACE SHIPPING, LTD., GEDEN
HOLDINGS, LTD., ADVANTAGE
ARROW SHIPPING, LLC, GENEL
DENIZCILIK NAKLIYATI A.S.,
ADVANTAGE TANKERS, LLC,
ADVANTAGE HOLDINGS, LLC,
FORWARD HOLDINGS, LLC, MEHMET
EMIN KARAMEHMET, GULSUN NAZLI
KARAMEHMET-WILLIAMS, TUGRUL
TOKGOZ,
Defendants.

[illegible]

CASE NO. 1:18-CV-00178-MAC

**ORDER OVERRULING DEFENDANTS’ OBJECTIONS TO REPORT AND
RECOMMENDATION AND GRANTING PLAINTIFF’S MOTION TO CONFIRM
ARBITRATION AWARD, DENYING DEFENDANTS’ MOTION TO DISMISS AND
ALTERNATIVE MOTION TO HOLD PLAINTIFF IN CONTEMPT, DENYING
PLAINTIFF’S MOTION TO STRIKE, GRANTING DEFENDANTS’ MOTION TO
DEEM NOTICE TIMELY, AND STAYING CASE PENDING OUTCOME OF
PARALLEL ARBITRATION**

The court referred this case to the Honorable Zack Hawthorn, United States Magistrate Judge, for pretrial management. Doc. No. 9. Pending before the court is Defendants Advantage Arrow Shipping, LLC, Advantage Start Shipping, LLC, Advantage Tankers, LLC, Advantage Holdings, LLC, and Forward Holdings, LLC's (collectively the "Advantage Defendants") "Motion to Dismiss and Alternate Motion to Hold Plaintiff in Contempt" (Doc. No. 53) and "Opposed Motion to Deem Their Notice Regarding Arbitral Award as Timely" (Doc. No. 68). Also pending before the court is Plaintiff Psara Energy, Ltd.'s ("Psara") "Opposed Motion to

Confirm Arbitration Award” (Doc. No. 57) and “Opposed Motion to Strike” (Doc. No. 63). Judge Hawthorn recommends granting Psara’s motion to confirm arbitration award (Doc. No. 57) and denying Advantage Defendants’ motion to dismiss and alternate motion to hold plaintiff in contempt (Doc. No. 53). Judge Hawthorn also recommends denying Psara’s motion to strike (Doc. No. 63) and granting Advantage Defendants’ “Opposed Motion to Deem Their Notice Regarding Arbitral Award as Timely” (Doc. No. 68). Finally, Judge Hawthorn recommends that this case be stayed pending an award in the parallel arbitration between Psara and Geden and/or Space Shipping.

A party who files timely, written objections to a magistrate judge’s report and recommendation is entitled to a *de novo* determination of those findings or recommendations to which the party specifically objects. 28 U.S.C. § 636(b)(1)(C); FED. R. CIV. P. 72(b)(2)-(3). “Parties filing objections must specifically identify those findings [to which they object]. Frivolous, conclusive or general objections need not be considered by the district court.” *Nettles v. Wainwright*, 677 F.2d 404, 410 n.8 (5th Cir. 1982) (en banc), *overruled on other grounds by Douglass v. United Servs. Auto. Ass’n*, 79 F.3d 1415 (5th Cir. 1996) (en banc).

Advantage Defendants raise two objections to Judge Hawthorn’s report and recommendation, but these objections are largely restatements of arguments raised in their motions and responses. *See* Doc. No. 53, 55, 59, 61, 65, 67.

After considering Advantage Defendants’ objections, the court finds they are without merit and that Judge Hawthorn’s findings and conclusions are correct.

It is, therefore, **ORDERED** that the report and recommendation of the magistrate judge (Doc. No. 74) is **ADOPTED**, Psara’s “Opposed Motion to Confirm Arbitration Award” (Doc. No. 57) is **GRANTED**, Advantage Defendants’ “Motion to Dismiss and Alternate Motion to Hold

Plaintiff in Contempt” (Doc. No. 53) is **DENIED**, Psara’s “Opposed Motion to Strike” (Doc. No. 63) is **DENIED**, and Advantage Defendants’ “Opposed Motion to Deem Their Notice Regarding Arbitral Award as Timely” (Doc. No. 68) is **GRANTED**.

It is further **ORDERED** that this case is **STAYED** pending arbitration between Psara and Geden and/or Space Shipping. It is **ORDERED** that Psara shall file a status update with the court regarding their arbitration with Geden and/or Space Shipping every ninety (90) days. The court will consider Advantage Defendants’ *Motion to Reduce Security* (Doc. No. 73) notwithstanding this order to stay.

SIGNED at Beaumont, Texas, this 6th day of August, 2020.

A handwritten signature in cursive script, reading "Marcia A. Crone", is positioned above a horizontal line.

MARCIA A. CRONE
UNITED STATES DISTRICT JUDGE